

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 29 AUGUST 2017

PLANNING APPLICATION – MUIRFIELD PRIMARY SCHOOL, SCHOOL ROAD, ARBROATH

GRID REF: 362272 : 740780

REPORT BY HEAD OF HOUSING, REGULATORY AND PROTECTIVE SERVICES

Abstract:

This report deals with planning application No 17/00410/FULM for the Erection of a New Build, 11 Classroom Primary School and Nursery and Associated Sports Pitches, Landscaping, Parking and Drop-off Area within the Grounds of the Existing School to Enable the Demolition of Existing School and Janitor House for Angus Council at Muirfield Primary School, School Road, Arbroath. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reason and subject to the conditions given in Section 10 of this report.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/ CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. INTRODUCTION

3.1 The applicant seeks full planning permission for the erection of a primary school and nursery and associated sports pitches, landscaping, parking and drop-off area within the grounds of the existing school with associated demolition of the existing school and janitor house at Muirfield Primary School, School Road, Arbroath.

3.2 The application site measures around 2.4 hectares and is located to the east of School Road, approximately 80m west of the Westway. The site is relatively flat throughout and the central area currently accommodates an existing primary school within a flat roofed single storey building with a footprint of 2600sqm, a two-storey flat roofed temporary building to the north west of the existing primary school that provides additional classroom accommodation which has a footprint of 334sqm and the janitors house which is located at the south west corner of the site. The boundaries of the site consist of mesh fencing that is complemented by additional landscaping in places. The school curtilage is bound to the north by agricultural land and Timbergreens Cottages. Residential properties at The Steading and Steading Place bound the east and south of the site with residential properties on School Road and Hospitalfield Road bounding the west of the site. Vehicular and pedestrian access to the site is located at the west boundary via School Road with a secondary pedestrian access located at the north boundary via Timbergreens.

3.3 The proposal involves the erection of a building on the site to accommodate a new primary school and nursery. The existing primary school building would be demolished along with the janitor house. The north elevation of the proposed building would be located approximately 14m from the south boundary of the properties at Timbergreens with the west elevation located approximately 77m from the west boundary of the site. The building would have a footprint of 2300sqm and consist of three interconnected blocks. The primary school would occupy the north most block which is 2 storeys in height with an overall height of approximately 11.5m; the east block contains the administrative uses and indoor halls which has an overall height of approximately 9.7m; and the nursery occupies the west block which is single storey with an overall height of approximately 7.7m. The proposed building would have

an aluminium standing seam roof system and the external walls would comprise facing brick and fibre cement weatherboarding. Some of the south and west facing roof slopes would accommodate solar PV panels. The ground floor of the primary school building accommodates 6 classrooms, a library, 2 activity areas, a nature room, a management office and pupil toilets. The first floor of the primary school accommodates 5 classrooms, an activity area, a GP room, 2 tuition rooms and pupil toilets. The nursery accommodates an open plan general area, an education room, 2 group rooms, a GP room, a food preparation area, storage spaces and pupil toilets. The remainder of the building accommodates 2 halls, changing rooms, a kitchen, food serving area, main reception, staff room, staff toilets, a meeting room, administrative offices, janitor's office, storage cupboards and IT server room.

- 3.4 The external space would consist of a mixture of hard and soft landscaped areas. A sports pitch would occupy the northwest corner of the site. A plant building with a footprint of 102sqm and an overall height of approximately 5.2m would be located to the southeast of the proposed car park. This building would accommodate gas boilers and sprinkler pumps with an air source heat pump located adjacent to its east elevation. A bin storage area would be provided adjacent to the plant building. An acoustic screen fence 2.1m in height would enclose this area. New planting would be introduced throughout the site and consist of Mountain Ash, Birch, Prunus and Oak species. A new 2.1m high weld mesh fence would be erected around the perimeter of the site. The existing vehicular access from School Road would provide access to the car parking associated with the development. The car park would accommodate 38 spaces with a 7 space drop off zone located adjacent to the south boundary along with 3 motorcycling parking spaces and a mixture of covered and uncovered bicycle stands. The development would be connected to the public drainage network with surface water from the development dealt with by SUDS. Landscaping proposals include the provision of a post and wire fence with beech hedging along the south boundary of the site, the mature trees at the west boundary would be retained with the existing bund along the north boundary tidied up and supplemented by additional tree planting.
- 3.5 The application has been varied through the provision of an acoustic fence around the perimeter of the plant building.
- 3.6 The application was advertised in The Courier as required by legislation.
- 3.7 The proposal constitutes a major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Whilst the proposal is a major development it can be considered by the Development Standards Committee as it is not significantly contrary to the development plan.

4. RELEVANT PLANNING HISTORY

- 4.1 Planning application (ref: 13/01160/FULL) for the siting of eight classrooms as temporary accommodation at Muirfield Primary School was approved subject to conditions by the Development Standards Committee at its meeting of 28 January 2014 (Report No: 58/14 refers). The planning permission has been implemented.
- 4.2 A Proposal of Application Notice (ref: 17/00005/PAN) in respect of a replacement educational facility including primary school, early years centre, community facility, energy centre, parking and associated playground areas at the site was considered by Committee at its meeting on 14 February 2017 (Report No. 67/17 refers). Committee noted the key issues identified in that report.

5. APPLICANT'S CASE

- 5.1 The following documents have been submitted in support of the application:

- A Pre-Application Consultation (PAC) Report;
- Design & Access Statement;
- Habitat Survey;
- Bat Survey;
- Transport Statement;
- Flood Risk Assessment;
- Geotechnical Design & Environmental Assessment Report;
- External Lighting Specification;
- Air Source Heat Pump Specification;
- Drainage Strategy Plan; and

- Tree Condition Survey.

5.2 The supporting information is available to view on the Council's [Public Access](#) system and is summarised at Appendix 2 below.

6. CONSULTATIONS

6.1 **Angus Council – Roads** – has not objected to the proposal in respect of traffic safety but has requested the provision of adequate cycle parking within the development. This matter can be addressed by planning condition. No objection is offered in relation to flooding and drainage subject to a condition that requires detail of the maintenance arrangements for the sustainable urban drainage system.

6.2 **Angus Council – Environmental Health** – has not objected to the proposal in respect of amenity impacts. In respect of land contamination, the Service is satisfied that this site does not pose a significant risk of harm to the proposed use from land contamination.

6.3 **Angus Council – Transport Section** – has offered no comments on the proposal.

6.4 **Angus Council – Parks & Burial Grounds** – has offered no comments on the proposal.

6.5 **Sportscotland** – has not objected to the proposal. It indicates it is not a statutory consultee in respect of the application but notes that the external sports pitch meets its recommended standards. However, it also notes that the largest internal hall is around 199sqm which falls short of the recommended minimum size of 18x18m. A copy of the consultation response has been sent to the applicant.

6.6 **Scottish Water** – has not objected to the proposal and has advised that there is currently sufficient capacity at its water and waste water treatment works for the proposed development.

6.7 **Arbroath Community Council** – has offered no comments on the proposal.

7. REPRESENTATIONS

7.1 Two letters of objection have been received. The letters of representation will be circulated to Members of the Development Standards Committee and a copy will be available to view in the local library or on the council's [Public Access](#) website.

7.2 The following matters have been raised as objections to the application and are discussed under Planning Considerations below: -

- **Impacts on residential amenity, including impacts from location of playground and potential for screen planting;**
- **Road traffic impacts, including construction traffic.**

8. PLANNING CONSIDERATIONS

8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 In this case the development plan comprises:-

- TAYplan (Approved 2012)
- Angus Local Development Plan (Adopted 2016)

8.3 As the application is not of strategic significance the policies of TAYplan are not referred to in this report and the policies of the Angus Local Development Plan form the main basis for the consideration of the proposal. The relevant policies of the Angus Local Development Plan are reproduced at Appendix 3.

8.4 The application site is located within the development boundary for Arbroath as defined by the Angus Local Development Plan. The outdoor space associated with the primary school is identified in the ALDP as an area of open space which is safeguarded by Policy PV2. The policy offers protection to outdoor sports facilities however it also seeks to enhance such

areas. The policy states that the loss of open space will only be supported where the development is ancillary to the principal of the use of the site as a recreational resource; or it has been demonstrated that there is an excess of open space; or where the retention or enhancement of existing facilities can be best achieved by redeveloping the site if this would not affect its sporting or recreational value; or where replacement open space of a similar quality will be provided in the local area. The proposal involves the redevelopment of the site for a new primary school and nursery, and makes provision for associated recreational facilities. SportsScotland has indicated that the proposed external sports pitch size is compatible with recommended minimum standards. The proposal includes provision for recreational facilities and does not raise any significant conflict with Policy PV2.

- 8.5 Policy TC8 of the ALDP deals with proposals for community facilities. It indicates that new community facilities should be accessible and of an appropriate scale and nature for the location. It also advocates a town centre first approach to identifying suitable locations for such uses. In this case the proposal involves redevelopment of an existing site that has historically been used for the same purpose and that provides facilities for a specific geographic location within the town. A town centre location would not allow the school to serve the required geographical area and in this respect the town centre first requirements of the policy are not appropriate. The proposed development would provide facilities of at least equal community benefit and the new school would be at least as accessible as the existing provision with pedestrian/cycle access off Timbergreens and an improved vehicular access from School Road. The principle of the redevelopment of the existing school site for a new school does not give rise to any issues in terms of this policy.
- 8.6 In relation to amenity impacts there are residential properties adjacent to the boundaries of the site. The proposed building occupies a different location on the site but the general relationship to boundaries does not change significantly and is comparable to the relationship between other schools and neighbouring residential property. The 2-storey section would be located a little over 14 metres from the southern boundary of houses at Timbergreens and in excess of 25 metres from the closest of those houses. A staircase window and the windows of a communal activity area would look towards those properties. However, having regard to the nature of those spaces, the separation distances involved and the likely hours of operation of the school, impacts in relation to loss of privacy are not significant. Other windows associated with the new building would not result in any significant overlooking of neighbouring property. The building would not result in any significant overshadowing or overbearing impacts in relation to neighbouring property. The outdoor areas associated with the school would bound neighbouring residential property but that is currently the case and resultant impacts are unlikely to change significantly in comparison to the existing situation. The formal playground area would be located closer to properties at Timbergreens and given the second storey windows in the proposed building and the proximity of the playground area it is considered appropriate to require additional landscaping between the playground and those properties. Some provision is made for that in the submitted plans but further augmentation of the proposed boundary landscaping supported by additional detail is required by condition. The Environmental Health Service was consulted in relation to other amenity impacts, specifically the energy centre associated with the development. However, that Service has confirmed that it has no objection to the application on the basis of the information provided.
- 8.7 Policy DS2 deals with the accessibility of development proposals. Policy DS4 requires consideration of issues relating to car parking and impacts on highway safety. The application proposes a similar scale of development to what exists at present and the proposal does not increase existing capacity at the school. The site is well located in relation to neighbouring residential areas and there are established pedestrian links. The site currently has vehicular access from School Road and that access would be retained and would serve a new car park. The car park would have provision for a total of 38 spaces (including 2 spaces for disabled parking) and a drop-off area with 7 spaces would be formed. The Roads Service has indicated that it has no objection to the proposal in respect of road safety or parking provision. There is adequate cycle parking proposed within the development but this requires to be covered, signed and lit and this is addressed by planning condition. As the proposal does not increase capacity at the school the level of traffic and activity is unlikely to change significantly in comparison to that potentially associated with the existing school. Similarly as access routes are not changing the amenity impacts associated with these are unlikely to change materially. There may be some localised disruption to traffic during the development phase but that is unavoidable during a redevelopment project of this nature and any such disruption would be temporary. The concerns raised by a third party regarding construction traffic are noted. It is understood that during the construction of the new school associated construction traffic are likely to take access via Timbergreens. During the subsequent demolition phase the school access would temporarily be taken via Timbergreens until the existing school building

is removed and the new parking and drop-off facilities are completed. However, the proposal complies with Policy DS2 and the relevant aspects of Policy DS4.

- 8.8 Policy DS3 of the ALDP deals with design. The existing building is fairly typical of school buildings constructed of its time and is of little architectural or townscape merit. The site is reasonably well screened from surrounding public roads by modern housing developments. The proposed building is limited to 2-storeys in height and draws on the character of the surrounding area. The overall design of the building is considered acceptable for this location and would represent an improvement in terms of design compared to the existing school building.
- 8.9 The proposed development would require the removal of 9 trees within the site, in order to accommodate the new building, parking and other facilities. The site plan does however identify the retention of the majority of existing trees as well as a new landscaping proposal for the site. The new landscaping would include some limited provision along the boundary with 4 – 6 Timbergreens. As indicated above it is considered that there would be benefit in augmenting that boundary planting in order to help mitigate impacts on those properties from the 2-storey element of the building and from the adjacent playground area and it is proposed to address that by condition. The existing boundary around the site is formed by mesh fencing and it is proposed to remove this and replace it with 2.1m high weld mesh fencing. Whilst in principle this is acceptable, the drawings do not provide details of the colour/fence construction and a condition is proposed to ensure the details are approved.
- 8.10 Policy PV12 deals with flood risk and Policy PV15 deals with drainage infrastructure. The Roads Service has confirmed that it has no objection to the application in relation to flood risk. The Drainage Impact Assessment submitted with the application confirms that foul water drainage shall connect to existing sewers with surface water drainage from the site treated and attenuated on site prior to being discharged to ground through an appropriately sized soakaway. The Roads Service has confirmed no objection to the proposal subject to approval of the detailed maintenance regime for the surface water drainage system. This is addressed by a proposed condition.
- 8.11 Policy PV5 deals with natural heritage and biodiversity matters. The site is not within an area that is specifically designated for its wildlife or biodiversity interest. However the existing building is potentially a favourable habitat for bats which are a European Protected Species. A Bat Survey submitted in support of the application identified a non-breeding soprano pipistrelle roost and pipistrelle roost within the site. In light of the presence of bats an EPS licence for the destruction of the small non-breeding bat roosts would be needed before the school building can be demolished and mitigation would also be required. The submitted Bat Survey identifies appropriate mitigation measures and it is likely that a license would be granted for their destruction as it would not affect the favourable conservation status of either species. A condition is proposed to ensure that the mitigation measures are implemented.
- 8.12 There are a number of representations in objection to the proposal and those have been taken into account in the preparation of this report. The substantive issues and material planning considerations raised in those letters have been considered above. There are no material considerations raised in those letters that cannot be addressed by planning conditions or that justify refusal of the application contrary to the provisions of the development plan.
- 8.13 In conclusion, the proposal provides for the construction of a new school within the grounds of an existing school. The new school would not increase capacity but would provide a new education facility with an improved learning environment. Consultees have raised no significant issues regarding the proposal and matters raised by third parties are addressed above and where appropriate the proposed planning conditions seek to mitigate those impacts. The proposal complies with the development plan subject to appropriate planning conditions and there are no material considerations that justify refusal of the application.

- 8.14 The Council has a financial interest in the application. However, the proposal is not significantly contrary to the development plan and there is therefore no requirement to notify Scottish Ministers in the event that committee determines to approve the application.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

EQUALITIES IMPLICATIONS

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

10. CONCLUSION

It is recommended that the application be approved for the following reason, and subject to the following condition(s):

Reason(s) for Approval:

That the proposal will provide for a new education facility in a manner that complies with relevant policies of the development plan subject to the stated planning conditions. There are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

Conditions:

1. That no development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority:
 - (a) Existing and proposed ground levels across the entire site and proposed floor levels for the buildings. The details shall show the finished ground levels and floor levels of the proposed development relative to existing ground levels and floor levels of neighbouring buildings. Thereafter the development shall be undertaken in accordance with the levels as approved prior to the occupation/use of the new school building;
 - (b) All external material finishes. Thereafter the development shall be finished with the materials as approved prior to the occupation/use of the new school building;
 - (c) The means of site enclosure. Thereafter the approved boundary treatments shall be erected prior to the occupation/use of the new school building;
 - (d) The siting, means of enclosure, lighting and signing of the cycle parking spaces. This shall include details of how that parking will be made safe and secure. Thereafter the cycle parking shall be provided in accordance with the approved details prior to the occupation/use of the new school building;
 - (e) A revised landscaping plan for the site. That plan shall make provision for additional shrub and tree planting on the boundary between the hard-standing playground area identified on the approved plans and the houses at Timbergreens. The approved planting shall be completed prior to occupation/use of the new school buildings or at such other time as may be approved in writing by the Planning Authority. Any plants or trees that within a period of 5 years from the completion of

development die; are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size or species;

- (f) A scheme for the provision, management and maintenance of the sustainable urban drainage system. Thereafter the system shall be installed, and subsequently managed and maintained in accordance with the approved details in perpetuity.

Reason: In order that the planning authority may verify the acceptability of the finished ground and floor levels in the interests of the residential amenities of the occupiers of adjacent dwellings; in order that the visual amenity of the area shall not be adversely affected; in order to ensure the provision of adequately designed cycle parking; to ensure the timely provision of landscaping necessary to mitigate the impact of the development on the amenity of the area; and to ensure the timely provision and subsequent maintenance of the surface water drainage system.

2. That the licensing and mitigation measures proposed at Section 4 of the Extended Phase 1 Habitat and Bat Survey (Habitat and Protected Species Surveys – including Nocturnal Surveys at Muirfield Primary School, Arbroath Angus dated 8 July 2017 (Version 2) by Direct Ecology shall be implemented upon commencement of the development hereby approved and shall be adhered to at all times during the development.

Reason: In the interests of protecting bats and nesting birds using the site.

3. That before development commences protective fencing in accordance with BS 5837: 2012, shall be erected around all trees to be retained. The protective fencing shall enclose the protected rooting zones as detailed in the BS 5837 Tree Survey at Muirfield Primary School, School Road, Arbroath by Blebo Tree Surgery; 7 March 2017. This fencing should remain in situ until development is completed and there shall be no passage of vehicles; excavations; storage of soil, plat, vehicles or other materials within the protective fencing.

Reason: In order to prevent unnecessary damage to trees on site.

4. That the only trees to be felled, topped, lopped or otherwise interfered with on site are those detailed in the BS 5837 Tree Survey at Muirfield Primary School, School Road, Arbroath by Blebo Tree Surgery; 7 March 2017 and outlined on Drawing No 3865 107: Tree Retention Plan by Holmes Miller. No other trees shall be felled, topped, lopped or otherwise interfered with without advance discussion with and without the prior written consent of the Planning Authority.

Reason: In order to prevent unnecessary loss of trees on site and in order that the visual amenity of the area shall not be adversely affected.

**STEWART BALL
HEAD OF HOUSING, REGULATORY AND PROTECTIVE SERVICES**

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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DATE: 21 August 2017

APPENDIX 1: LOCATION PLAN

APPENDIX 2: SUMMARY OF APPLICANTS SUPPORTING INFORMATION

APPENDIX 3: DEVELOPMENT PLAN POLICIES

Appendix 1: Location Plan

Appendix 2 – Summary of Applicant Supporting Information

A Pre-Application Consultation (PAC) Report - Describes the consultation process undertaken by the applicant prior to submitting the application. The report explains that a community engagement event was held at Muirfield Primary School on 15 March 2017. The report advises that a total of 38 people attended the event, with feedback in the form of comments provided from 13 attendees. A further 3 comments were provided via online submission. The main points were generally positive with the provision of a new modern school welcomed; the provision of a nursery on the site was also welcomed; the layout of the development appears to be well thought out and would there be lift access to the second floor. One point of concern was raised in relation to a lack of outdoor space during construction works.

Design & Access Statement - This document provides an assessment of the site's context and characteristics that informed the identification of design principles that informed the basis of the design solution. The overall form and design of the building has taken into account the surrounding context and position to existing properties. The nursery, and early years were designed as a single storey block which avoids any overshadowing and overlooking issues with the neighbouring housing. The admin and hall block is contained within a single storey block with a heightened, pitched-roof portion over the Halls 1 and 2. Teaching spaces are located in a 2 storey block which forms a strong civic frontage. A landscaping strategy has been incorporated into the proposals which allows for the landscape associated with the building to be used in three main ways – Teach, Learn and Play. The landscape will be developed as a series of flexible and adaptable external spaces of varying scales and uses which provide a framework for learning, interaction, identity and a sense of ownership for pupils and staff alike.

Habitat Survey - The trees and woodland habitats should be retained wherever possible. If any are to be removed, appropriate like for like planting should take place as part of the landscaping of the site. Species chosen for planting should be native, of local provenance, or of known wildlife benefit. Nocturnal surveys in the bat active season (May-September) are required to confirm the status of the main school building and the janitor's cottage with regard to roosting bats. No evidence was found for use of the survey area by badgers or other protected species. Any trees overhanging works areas, which are not to be removed as a part of any proposed works, should be protected in accordance with British Standard 5837: 2012 Trees in relation to design, demolition and construction - recommendations. Protection should be installed on site prior to the commencement of any works. This should include protection from construction traffic and personnel, as well as material storage, and the trees should be protected by physical barriers. No lights should be positioned where they illuminate trees in the woodland areas at the north and south of the site, as this could cause disturbance to commuting and foraging bats. To ensure compliance with the Wildlife and Countryside Act 1981 (as amended), if works takes place within the bird nesting season, a suitably qualified and experienced person should check the area for nesting birds immediately before works begin. If birds are found to be nesting, any works that may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally.

Bat Survey - There are multiple buildings on site including one large main school building, a newer building used as a decant site, and multiple wooden sheds. No signs of bats were recorded during the day survey; however the main building has bat roost suitability throughout, including gaps beneath the metal edge flashing and gaps above windows and doors. Consequently, the building is assessed as having moderate/high bat roost potential. The wooden sheds have low bat roost potential. In addition to these buildings, a former janitor's cottage is present on the site and is due to be demolished as part of the project. The janitor's cottage has moderate/high potential for roosting bats. The nocturnal bat surveys located two non-breeding pipistrelle roosts under the edge flashing on the north aspect and on the south aspect of the northern courtyard on the east side of the school. The roost on the northern end of the school is a soprano pipistrelle roost. The roost in the courtyard is a pipistrelle species site. In light of the presence of bats in the buildings to be removed from the site a derogation licence will be required from Scottish Natural Heritage (SNH) for the destruction of the small non-breeding bat roosts.

Transport Statement - The proposed site has been considered in terms of sustainability and its ability to meet aims of both the local and national transport policy. Existing walking and cycling facilities in the vicinity of the school are considered to be of a high standard and provide links to existing town centre transport interchanges and local amenities. There are regular bus services operating near the school, within short walking distance. These services currently provide connections across the local area and further afield. Car parking is being provided at a realistic level and has been designed to ensure maximum flexibility, thus reducing the risk of overspill onto the surrounding road network. It is therefore proposed that there are no transport related issues preventing the award of planning consent.

Flood Risk Assessment - Historical flood records have been consulted and it has been concluded that any future flooding will pose no threat to the proposed development. Flood maps have been used to determine the location of fluvial and tidal flood plains under extreme flood events and it has been determined that the proposed site is located out with these zones. Borehole information has been checked and groundwater is not considered to be an issue. Finally, the surface water drainage for the scheme has been designed to ensure that pluvial, or overland, flooding does not occur. It has therefore been concluded that the flood risk of the proposed site is negligible.

Geotechnical Design & Environmental Assessment Report - The site in its current setting is suitable for use and for related activities. Gas protection measures are not required for the development. Overall, risks to human health are low in relation to the new development. The new development effectively provides a barrier to underlying contaminants within the made ground deposits thus removing any formerly identified SPR linkages. Upon completion of the development the risks to the identified receptors are considered to be low.

External Lighting Specification - All exterior lighting shall be designed to meet the requirements of CIBSE Lighting Guide LG6 'The Outdoor Environment', ILE Guidance Notes for the Reduction of Light Pollution and all relevant British Standards. All lamps shall be energy efficient and of long life. Light sources shall be LED throughout. External luminaries shall be controlled via photocell and 7 day time-switch. A manual override switch shall be provided to allow a manual override. All external lighting (except for safety and security lighting) shall be automatically switched off between 2300 and 0700. This will be achieved by providing a timer for all external lighting set to the appropriate hours. Security lighting is required between 2300 and 0700, this part of the lighting system shall comply with the lower levels of lighting recommended during these hours in Table 1 of the ILE's guidance note.

Drainage Strategy Plan - The need for a suitable 'Sustainable Urban Drainage Scheme' has been recognised and incorporated within the design proposals for the surface water system. The surface water will be attenuated before utilising the existing connection to discharge into the Scottish Water combined sewer to the west of the site as agreed. Full attenuation for a 30 year storm event will be provided within the underground storage structures with a check of the 200 year storm to ensure no flooding on site. In accordance with general SuDs principles and Angus Council requirements there will therefore be no detrimental effect on the development or surrounding properties. A traditional drainage system will collect the foul water which will be discharged directly into the Scottish Water combined sewer.

Air Source Heat Pump Specification – This details the specification for the air source heat pump system to be installed and details the capacity of the unit along with its sound levels.

Tree Condition Survey – this identifies the existing trees on the site and details the trees to be retained; the trees to be removed and additional trees which are recommended to be removed. It confirms that any work to existing trees would be carried out in accordance with BS 3998:2010 and the recommendations in the Tree Condition Survey.

Appendix 3 – Development Plan Policies

Angus Local Development Plan

Policy DS1: Development Boundaries and Priorities

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

*Sharing an edge or boundary, neighbouring or adjacent

Policy DS2: Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:

- are or can be made accessible to existing or proposed public transport networks;
- make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances;
- allow easy access for people with restricted mobility;
- provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and
- are located where there is adequate local road network capacity or where capacity can be made available.

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- the submission of a Travel Plan and/or a Transport Assessment.
- appropriate planning obligations in line with Policy DS5 Developer Contributions.

Policy DS3: Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- **Distinct in Character and Identity:** Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.

- **Safe and Pleasant:** Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.
- **Well Connected:** Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.
- **Adaptable:** Where development is designed to support a mix of compatible uses and accommodate changing needs.
- **Resource Efficient:** Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be addressed will also be set out in supplementary guidance.

Policy DS4: Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;
- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

Policy TC8: Community Facilities and Services

The Council will encourage the retention and improvement of public facilities and rural services.

Proposals resulting in the loss of existing public community facilities will only be supported where it can be demonstrated that:

- the proposal would result in the provision of alternative facilities of equivalent community benefit and accessibility; or
- the loss of the facility would not have an adverse impact on the community; or
- the existing use is surplus to requirements or no longer viable; and
- no suitable alternative community uses can be found for the buildings and land in question.

The Council will seek to safeguard rural services that serve a valuable local community function such as local convenience shops, hotels, public houses, restaurants and petrol stations. Proposals for alternative uses will only be acceptable where it can be demonstrated that:

- the existing business is no longer viable and has been actively marketed for sale as a going concern at a reasonable price/rent for a reasonable period of time;
- the building is incapable of being reused for its existing purpose or redeveloped for an appropriate local community or tourism use; or
- equivalent alternative facilities exist elsewhere in the local community.

New community facilities should be accessible and of an appropriate scale and nature for the location. In the towns of Angus, and where appropriate to the type of facility, a town centre first approach should be applied to identifying a suitable location.

Policy PV2: Open Space Protection and Provision within Settlements

Angus Council will seek to protect and enhance existing outdoor sports facilities and areas of open space of sporting, recreational, landscape, wildlife, amenity, food production, access and flood management value. Development involving the loss of open space (including smaller spaces not identified on the Proposals Map) will only be permitted where:

- the proposed development is ancillary to the principal use of the site as a recreational resource; or
- it is demonstrated that there is an identified excess of open space of that type (backed up through an open space audit and strategy) to meet existing and future requirements taking account of the sporting, recreational and amenity value of the site; or
- the retention or enhancement of existing facilities in the area can best be achieved by the redevelopment of part of the site where this would not affect its sporting, recreational, amenity or biodiversity value, its contribution to a green network, or compromise its setting; or
- replacement open space of a similar type and of at least equal quality, community benefit and accessibility to that being lost will be provided within the local area.

Development proposals for 10 or more residential units or a site equal to or exceeding 0.5 hectares will be required to provide and /or enhance open space and make provision for its future maintenance. Other types of development may also need to contribute towards open space provision.

Angus Council will seek to ensure that 2.43 hectares of open space per 1000 head of population is provided*. The specific requirements of any development will be assessed on a site by site basis and this standard may be relaxed taking account of the level, quality and location of existing provision in the local area. In circumstances where open space provision is not made on site in accordance with the relevant standards, a financial contribution in line with Policy DS5 Developer Contributions may be required.

All new open spaces should incorporate the principles of Policy DS3 Design Quality and Placemaking, be publicly accessible and contribute to the enhancement and connectivity of the wider Green Network wherever possible.

*In line with the Six Acre Standard (National Playing Fields Association)

Policy PV7: Woodland, Trees and Hedges

Ancient semi-natural woodland is an irreplaceable resource and should be protected from removal and potential adverse impacts of development. The council will identify and seek to enhance woodlands of high nature conservation value. Individual trees, especially veteran trees or small groups of trees which contribute to landscape and townscape settings may be protected through the application of Tree Preservation Orders (TPO).

Woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. Development and planting proposals should:

- protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;
- be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;
- ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- ensure new woodland is established in advance of major developments;
- undertake a Tree Survey where appropriate; and
- identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

Angus Council will follow the Scottish Government Control of Woodland Removal Policy when considering proposals for the felling of woodland.

Policy PV9 Renewable and Low Carbon Energy Development

Proposals for renewable and low carbon energy development* will be supported in principle where they meet the following criteria:

- the location, siting and appearance of apparatus, and any associated works and infrastructure have been chosen and/or designed to minimise impact on amenity, landscape and environment, while respecting operational efficiency;
- access for construction and maintenance traffic can be achieved without compromising road safety or causing unacceptable change to the environment and landscape;
- the site has been designed to make links to the national grid and/or other users of renewable energy and heat generated on site;
- there will be no unacceptable impact on existing or proposed aviation, defence, seismological or telecommunications facilities;
- there will be no unacceptable adverse impact individually or cumulatively with other existing or proposed development on:
 - landscape character, setting within the immediate and wider landscape (including cross boundary or regional features and landscapes), sensitive viewpoints and public access routes;
 - sites designated for natural heritage (including birds), scientific, historic, cultural or archaeological reasons;
 - any populations of protected species; and
 - the amenity of communities or individual dwellings including visual impact, noise, shadow flicker.
- during construction, operation and decommissioning of the energy plant there will be no unacceptable impacts on:
 - groundwater;
 - surface water resources; or
 - carbon rich soils, deep peat and priority peatland habitat or geodiversity.

Where appropriate mitigation measures must be supported by commitment to a bond commensurate with site restoration requirements.

Consideration may be given to additional factors such as contribution to targets for energy generation and emissions, and/or local socio-economic economic impact.

Supplementary guidance will be prepared to set out a spatial framework to guide the location of onshore wind farm developments, consistent with the approach set out in Table 1 of Scottish Planning Policy. It will also provide further detail on the factors which should be taken into account in considering and advising on proposals for all types of renewable energy development.

Prior to the adoption of that supplementary guidance, the Council will apply the principles and considerations set out in Scottish Planning Policy in assessing the acceptability of any planning applications for onshore wind farms.

**infrastructure, activity and materials required for generation, storage or transmission of energy where it is within the remit of the council as local planning authority (or other duty). Includes new sites, extensions and/or repowering of established sites for onshore wind.*

Policy PV15: Drainage Infrastructure

Development proposals within Development Boundaries will be required to connect to the public sewer where available.

Where there is limited capacity at the treatment works Scottish Water will provide additional wastewater capacity to accommodate development if the Developer can meet the 5 Criteria*. Scottish Water will instigate a growth project upon receipt of the 5 Criteria and will work with the developer, SEPA and Angus Council to identify solutions for the development to proceed.

Outwith areas served by public sewers or where there is no viable connection for economic or technical reasons private provision of waste water treatment must meet the requirements of SEPA and/or The Building Standards (Scotland) Regulations. A private drainage system will only be considered as a means towards achieving connection to the public sewer system, and when it forms part of a specific development proposal which meets the necessary criteria to trigger a Scottish Water growth project.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

Drainage Impact Assessment (DIA) will be required for new development where appropriate to identify potential network issues and minimise any reduction in existing levels of service.

Policy PV18: Waste Management in New Development

Proposals for new retail, residential, commercial, business and industrial development should seek to minimise the production of demolition and construction waste and incorporate recycled waste into the development.

Where appropriate, Angus Council will require the submission of a Site Waste Management Plan to demonstrate how the generation of waste will be minimised during the construction and operational phases of the development.

Development proposals that are likely to generate waste when operational will be expected to include appropriate facilities for the segregation, storage and collection of waste. This will include provision for the separate collection and storage of recyclates within the curtilage of individual houses.